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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0237 MHP
)	
Plaintiff,)	
)	PARTIES' JOINT REQUEST TO CONTINUE
v.)	SENTENCING DATE AND [PROPOSED]
)	ORDER
BECKY CHRISTIAN,)	
)	
Defendant.)	
)	

It is hereby stipulated by and between counsel for the United States, Assistant U.S. Attorney Kyle F. Waldinger, and counsel for defendant Becky Christian, Steven M. Bauer and John F. Walsh, that, subject to the Court's approval, the sentencing hearing presently set for June 1, 2009, be continued and set for a sentencing hearing on September 28, 2009, at 9:00 a.m. The United States has previously determined from reviewing the Court's publicly posted scheduling information that the Court is currently available for a hearing on that date. The assigned probation officer, Constance Cook, also has been consulted by defense counsel with respect to this date and has indicated that she is available on that date.

The defendant Becky Christian pled guilty pursuant to a plea agreement on July 24, 2008, to one count of conspiracy to misappropriate, receive, possess, and transmit trade secrets, gain unauthorized access to a protected computer, exceed authorized access to a protected

1 computer, and traffic in a password allowing unauthorized access to a protected
 2 computer. The case was referred to the Probation Office for a presentence report. The plea
 3 agreement also includes standard terms of cooperation.

4 In light of continuing cooperation under the terms of the plea agreement, the parties
 5 jointly request that the sentencing status hearing on June 1, 2009, be continued for a sentencing
 6 hearing on September 28, 2009. Additional time is needed for the defendant to complete her
 7 cooperation with the government. Specifically, the co-defendant in this matter — David Nosal
 8 — has informed the Court that he is considering filing additional pretrial dispositive motions.
 9 No date has yet been set for the filing of those motions. Further, no trial date has been set.
 10 When the Nosal matter does proceed to trial, the defendant Christian is expected to testify in that
 11 matter. Because Ms. Christian will be required to testify at trial, her cooperation with the
 12 government's investigation is not yet complete.

13 For all of these reasons, the parties jointly request that this Court vacate the sentencing
 14 hearing presently set for June 1, 2009, and set a sentencing hearing for September 28, 2009, at
 15 9:00 a.m. In addition, the parties jointly request that the due dates for the presentence report be
 16 calculated using the new sentencing date.

17 SO STIPULATED.

18 Dated: April 8, 2009

SCOTT N. SCHOOLS
 Acting United States Attorney

19
 20 /s/
 21 KYLE F. WALDINGER
 Assistant United States Attorney

22 SO STIPULATED.

23 Dated: April 9, 2009

24 /s/
 25 STEVEN M. BAUER
 JOHN F. WALSH
 Attorneys for defendant Becky Christian

~~[PROPOSED]~~ ORDER

GOOD CAUSE APPEARING,

IT IS ORDERED that the sentencing status hearing presently set for June 1, 2009, be continued to September 28, 2009, at 9:00 a.m. The final presentence report should be disclosed two weeks prior to the sentencing date.

Dated this 10th day April, 2009

